

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JEFFREY D. HILL,

Plaintiff,

v.

COMMONWEALTH OF PA,

Defendant.

No. 4:21-CV-00479

(Chief Judge Brann)

(Magistrate Judge Arbuckle)

**ORDER**

**OCTOBER 18, 2021**

In March 2021, Jeffrey D. Hill filed a civil rights complaint related to purportedly unlawful actions taken by local and state officials against Hill approximately three decades ago.<sup>1</sup> On June 9, 2021, Magistrate Judge William I. Arbuckle issued a Report and Recommendation recommending that this Court dismiss Hill’s complaint pursuant to 28 U.S.C. § 1915(e)(2)(B).<sup>2</sup> Hill has not filed timely objections to the Report and Recommendation.<sup>3</sup>

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.<sup>4</sup> Conversely, “[i]f a party objects

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<sup>1</sup> Doc. 1.

<sup>2</sup> Doc. 6

<sup>3</sup> Hill filed a notice of appeal related to the Report and Recommendation with the United States Court of Appeals for the Third Circuit; the Third Circuit dismissed that appeal for lack of jurisdiction. Docs. 7, 9.

<sup>4</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

timely to a magistrate judge's report and recommendation, the district court must 'make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.'"<sup>5</sup> Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations.<sup>6</sup> Upon review of the record, the Court finds no error—clear or otherwise—in Magistrate Judge Arbuckle's recommendation that Hill's complaint be dismissed with prejudice. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge William I. Arbuckle's Report and Recommendation (Doc. 6) is **ADOPTED**;
2. Hill's motion for leave to proceed *in forma pauperis* (Doc. 2) is **GRANTED**;
3. Hill's complaint (Doc. 1) is **DISMISSED** with prejudice;
4. Hill's motion for hearing transcripts (Doc. 3) is **DENIED** as moot; and
5. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge

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<sup>5</sup> *Equal Emp't Opportunity Comm'n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

<sup>6</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.